

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
TRANSPORTATION POLICY COMMITTEE MEETING**

February 19, 2003
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

*Mayor Neil Giuliano, Tempe, Chair
Mayor Elaine Scruggs, Glendale, Vice Chair
*Benito Almanza, Bank of America Arizona
F. Rockne Arnett, Citizens Transportation
Oversight Committee
Mayor Steven Berman, Gilbert
Dave Berry, Swift Transportation
Jed S. Billings, FNF Construction
Councilmember Peggy Bilsten, Phoenix
Councilmember Pat Dennis, Peoria
Mayor Ron Drake, Avondale
Mayor Boyd Dunn, Chandler

Rusty Gant, ADOT
Mayor Keno Hawker, Mesa
*Eneas Kane, DMB Associates
Vice Mayor Seth Kanter, Goodyear
Mayor Mary Manross, Scottsdale
Mayor Lon McDermott, Wickenburg
Diane Scherer, Phoenix Association of Realtors
Vice Mayor Daniel Schweiker, Paradise Valley
Martin Shultz, Pinnacle West Capital Corp.
Supervisor Don Stapley, Maricopa County
Mayor J. Woodfin Thomas, Litchfield Park

* Not present

#Participated by videoconference or telephone conference call

1. **Call to Order**

The meeting of the Transportation Policy Committee was called to order by Vice Chairman Elaine Scruggs at 4:10 p.m.

2. **Pledge of Allegiance**

The Pledge of Allegiance was recited.

Vice Chair Scruggs stated that transit tickets were available from RPTA for those who used transit to come to the meeting and parking garage validation was available from MAG staff.

Vice Chair Scruggs stated that for agenda item #4C, Approval of Rubberized Asphalt Improvements, and agenda item #4D, Amendment to the FY 2003-2007 MAG Transportation Improvement Program for Safety and Enhancement Fund Projects, updated summary transmittals reflecting action taken at the February 12, 2003 Management Committee meeting were at each place. For agenda item #8, Legislative Update, a summary was at each place.

3. Call to the Audience

Vice Chair Scruggs stated that an opportunity is available to members of the public to offer public comment. Citizens will be requested not to exceed a three minute time period for their comments.

Vice Chair Scruggs recognized public comment from Steve Dreiseszun, who stated that he is the chairman of the FQ Story I-10 Inner Loop Action Committee. Mr. Dreiseszun provided materials to members on the impacts of the inner loop to their neighborhood. These materials were entered into the permanent record. Mr. Dreiseszun stated that he had addressed the Management Committee on February 12. He stated that he has spoken about accelerating the application of rubberized asphalt in the area of the I-10 Inner Loop, which was not scheduled for installation until 2006. Mr. Dreiseszun stated that the problems of the area were ignored until he provided the information at the Management Committee meeting. The application is slated to start at 15th Avenue, and they hope to have this boundary extended to include the central area. Mr. Dreiseszun noted that this segment of I-10 is the fifth busiest segment of any segment in the state, and impacts have not been mitigated. This issue is noise walls—the walls in their segment are too small. Mr. Dreiseszun stated that 23,000 trucks pass through the segment per day. Rerouting the trucks to I-17 will help with sound mitigation and reduce the impact on their neighborhood. Mr. Dreiseszun mentioned that he also had a video he would share with those interested. Vice Chair Scruggs thanked Mr. Dreiseszun for his comments.

4. Approval of Consent Agenda

Vice Chair Scruggs stated that agenda items #4A, #4B, #4C, and #4D were on the consent agenda.

Vice Chair Scruggs recognized public comment from Blue Crowley, who stated that there needs to be improved sharing of public comment among agencies. Mr. Crowley stated that the dust from asphalt on concrete needs to go somewhere. He stated that rubberized asphalt is being rubber stamped, and a more in-depth job examining issues related to it needs to be done. Vice Chair Scruggs thanked Mr. Crowley for his comments.

Vice Chair Scruggs noted that any member of the committee can request that an item be removed from the consent agenda and considered individually. Hearing no discussion, she asked for a motion.

Mayor Dunn moved to recommend approval of the consent agenda. Mayor Thomas seconded.

Councilmember Bilsten asked for clarification of the interchange at Jomax. Dennis Smith replied that project was included in the TEA-21 Reauthorization Resolution for discretionary projects that will be considered by the Regional Council on February 26.

The vote on the question passed unanimously.

4A. Approval of January 15, 2003 Meeting Minutes

The Transportation Policy Committee, by consent, approved the January 15, 2003 meeting minutes.

4B. Conformity Consultation

A proposed amendment to the FY 2003-2007 Transportation Improvement Program involves the addition of five new Transportation Enhancement projects in fiscal years 2003 and 2004. In addition, the amendment also includes the deferral of two Maricopa County intersection safety and improvement projects and one Transportation Enhancement project from FY 2002 to FY 2003. An amendment is required to add the new projects to the TIP. The amendment involves new projects that are considered exempt from conformity determinations and minor project revisions that do not require a conformity determination. This item was on the agenda for consultation.

4C. Approval of Rubberized Asphalt Improvements

The Transportation Policy Committee, by consent, recommended approval of the map to implement the rubberized asphalt improvements, with the contingency that if a city could work a trade with another city that would not negatively impact the rest of the system, or if a city could provide alternative funding that would not negatively impact the rest of the system, that would be allowed. MAG member agencies and the Arizona Department of Transportation (ADOT) have proposed changes to the current ADOT 2003-2007 Five Year Highway Construction program to implement a program of paving freeways with rubberized asphalt. Rubberized asphalt has been determined to be very effective at reducing noise on urban freeways. Existing freeways will be resurfaced and new sections of the Red Mountain, Santan and Sky Harbor Freeways will have rubberized asphalt included during the original construction phase. In January, the \$34 million funding plan for the rubberized asphalt improvements was approved by the Regional Council, contingent upon the map of the improvements being approved at the February meeting. ADOT has developed a map showing the proposed schedule for implementation of the program and, at their January 30, 2003, meeting, the Transportation Review Committee unanimously recommended approval of this program. The Management Committee concurred with the TRC and further refined the recommendation to include a contingency that if a city could work a trade with another city that would not negatively impact the rest of the system, or if a city could provide alternative funding that would not negatively impact the rest of the system, that would be allowed. These would be material changes, which would need to come back to MAG for approval.

4D. Amendment to the FY 2003-2007 MAG Transportation Improvement Program for Safety and Enhancement Fund Projects

The Transportation Policy Committee, by consent, recommended approval of the Transportation Review Committee's recommendation for an amendment to the FY 2003-2007 MAG Transportation Improvement Program for federal Transportation Safety and Enhancement funds as shown on Table One. The FY 2003-2007 MAG Transportation Improvement Program (TIP) was approved by the Regional Council on July 24, 2002. Recently, the State Transportation Board approved Transportation Enhancement Activity (TEA) funding for four projects within the MAG region. In addition, MAG was notified of two Surface Transportation program, Hazard Elimination Safety (STP-HES) funded Maricopa County projects and two TEA funded projects (one for Chandler and one for ADOT) that need to be added to the TIP. These latter four projects were originally programmed in earlier TIPs and were incorrectly reported as being underway during the development of more recent TIPs. It is necessary to amend the current TIP to include these projects in FY 2003 and FY 2004 so that they may proceed to construction. All of the projects concerned are regarded as exempt for air quality purposes and the consultation for this item is considered as a separate agenda item. The Transportation Review and Management Committees unanimously recommended approval of this amendment.

6. Regional Transportation Plan Draft Goals and Objectives

This agenda item was taken out of order.

Eric Anderson reviewed the draft goals and objectives that were developed during Phase I. He stated that at the January 15, 2003 TPC meeting, an initial presentation was made on the draft goals and objectives. He added that on February 6, 2003, a workshop was held for TPC members and agency staff for a more in-depth discussion of the topic. Mr. Anderson stated that revisions from input received at the workshop were incorporated. The goals are System Preservation and Safety; Access and Mobility; Sustaining the Environment; Accountability and Planning. He added that the goals and objectives will remain in draft form until the Plan is adopted. Mr. Smith noted that when the goals and objectives are approved by the Committee, would be with the understanding that they may be refined.

Mr. Anderson reviewed the objectives that must be realized to reach the System Preservation and Safety goal. Objective 1A) Provide for the continuing preservation and maintenance needs of transportation facilities and services in the region, eliminating maintenance backlogs. Objective 1B) Provide a safe and secure environment for the traveling public, addressing roadway hazards and incident response, pedestrian and bicycle safety and transit security.

Mayor Thomas stated that he had received a letter regarding bicycle issues. He asked if the concerns mentioned in the letter had been properly incorporated. Mr. Anderson stated that safety issues had been addressed.

Vice Mayor Schweiker asked if any refinements made would come back to the Committee for approval. Mr. Anderson replied that they would.

Mr. Berry commented that in terms of the financial aspects of the system, a description of what is appropriate for bonding and what is not appropriate needed to be included in the goals and objectives. Mr. Anderson stated that this would be addressed in the Accountability and Planning goals section.

Vice Chair Scruggs asked the conditions under which the goals and objectives would be refined and how would that affect the Committee's work up until that time. Mr. Anderson replied that changes in August could be problematic, but in the next couple of months, changes would work out with the schedule. He commented that it is important to keep dialogue open, but approval of the draft goals and objectives is needed as a stopping point so staff can move ahead. Mr. Anderson advised that significant changes are not anticipated, but input is being received on a daily basis. It would be mainly wordsmithing, a refinement, rather than changing a goal completely.

Mr. Anderson reviewed the objectives that must be realized to meet the Access and Mobility goal. Objective 2A): Maintain an acceptable and reliable level of service on the transportation systems and mobility systems serving the region, taking into account performance by mode and facility type. Objective 2B): Provide residents of the region with access to jobs, shopping, education, cultural and recreational opportunities and provide employers with reasonable access to the workforce in the region. Objective 2C): Maintain reasonable and reliable travel times for freight moving into, through and within the region, as well as provide high-quality access between intercity freight transportation corridors and freight terminal locations, including inter-modal facilities for air, rail and truck cargo. Objective 2D): Provide the people of the region with transportation mobility options necessary to carry out their essential daily activities and support equitable access to the region's opportunities. Mr. Anderson noted

that some objectives may sound redundant, but they tie back to Title VI requirements for equitable access.

Councilmember Dennis commented that light rail was mentioned in the strategies, but not commuter rail. Mr. Anderson replied that the strategies were examples only to convey an idea of transportation investments. They could be expanded to include other examples.

Mr. Anderson read Objective 2E): Address the mobility needs of the elderly and other population groups that may have special transportation needs, such as non-drivers or those with disabilities. He explained that this includes services such as dial a ride, and on demand services, etc.

Mr. Anderson reviewed the objectives that must be realized for the Sustaining the Environment goal. Objective 3A): Identify and encourage implementation of mitigation measures that will reduce noise, visual and traffic impacts of transportation projects on existing neighborhoods.

Mr. Berry asked if the distinction was being drawn between a neighborhood that exists and one that does not exist. If you build a road, the neighborhood comes. If you add another lane, but not expand right of way, then there are mitigation efforts. Mr. Anderson explained the mitigation efforts are required if federal funds are being used. Mr. Berry commented that if a neighborhood grows, and we do not expand, then they do their own mitigation. Mr. Anderson stated that has been policy under the current freeway system. Many cities have neighborhood mitigation policies that make the developer pay for noise mitigation rather than the system paying for the efforts.

Vice Chair Scruggs stated that Mr. Berry had raised a valid point. The 1985 plan was not drafted with the sophistication of the new RTP, because there are now voter approved general plans, etc. that must be considered. She stated that the Committee needed to decide if the policy would remain the same or to reflect what the voters have said they want done.

Mayor Thomas commented that some cities, Buckeye for example, have large plans on the board. He was hesitant to guess where the growth will take place. That is what the general plans is trying to accomplish. To do walls up front, development will go there if there are walls in place; or, if it's in an impact area, development could leap frog over mitigated areas because of lower costs. Mayor Thomas suggested that developers be responsible up front as part of the plan.

Mayor Hawker stated that more miles of freeway can be built if money is not spent on sound walls.

Vice Mayor Kanter stated that Goodyear passed a noise mitigation ordinance to try to get development contributions. He stated that he would not be adverse to reexamination of the policy.

Vice Mayor Schweiker stated his agreement that more freeway miles could be built if the developers picked up the cost of sound walls.

Mr. Gant stated that the basis for the estimate on the miles we can get for the money we are projecting did not include walls, and would need to be re-worked.

Councilmember Bilsten questioned whether it could be mandated that developers pay for sound walls. Is it less expensive to build at the beginning before homes are built, or after the fact? Mr. Anderson noted that the Town of Gilbert has an ordinance in place for payment of mitigation costs by developers.

He added that MAG convened a group a few years ago to study best practices for right of way, etc. Mr. Anderson stated that it might be appropriate to reconstitute that committee.

Mayor Dunn stated that the City of Chandler not only encourages developer cooperation in the construction of sound walls, but better construction. Standards for walls have changed over the years and to rebuild walls is a major effort. Mayor Dunn stated that the City has had success with encouraging developers. Whether that can be mandated is another issue.

Councilmember Bilsten commented that reconstituting the committee might be appropriate. She added that it would be helpful knowing the costs of building walls both at the beginning of construction and at retrofit. Councilmember Bilsten spoke about people who were promised walls and did not receive them will be the people talking about it if we start building freeways without including walls.

Mayor Berman stated that the Town of Gilbert requires developers to build sound walls. This decision was based on conservative advice from the Town attorneys. He commented that this is something that might be accomplished legally.

Vice Chair Scruggs asked if the ordinance required that a developer build walls for an area that might be receiving enhancements 10 years down the road. Mayor Berman commented that he would need to look into the ordinance to see if it applied that far in the future. Vice Chair Scruggs stated that is really the question--can you require developers to build for something years down the road?

Supervisor Stapley stated that responsible developers today should provide for sound attenuation walls. This should be mandated and stipulated in zoning. He stated that there may be occasional problems with developers, but the market is usually self regulated. Supervisor Stapley stated that it made sense to make developers pay their way in that regard.

Vice Chair Scruggs stated that what she was hearing was to stay with the objectives as written to provide mitigation efforts for existing neighborhoods.

Mr. Berry stated that the first one to develop funds the cost of a facility, and as others come in, they reimburse the cost to the bank, which is MAG. Then, as subdivisions come in, MAG gets reimbursed. Mr. Berry stated that this would provide the benefit without having to retrofit. As other businesses go in, that amount goes back to the bank to be used for more road construction, etc.

Mayor Dunn commented that if you build walls where development is not occurring, the walls may not meet the standards five years down the road. It is probably best to wait until development comes to that part of the freeway.

Mr. Arnett stated that the ADOT plan indicates a \$200 million cost for walls, which is not a firm cost. He suggested leaving in the objective with the understanding that there is more work to be done. Mr. Arnett stated that there may be some modified method that could be used. Some need walls right away. Mr. Arnett stated that there are three parts of a freeway--planning, construction, landscaping. He stated that sound mitigation could be another designation, which would come as certain levels might be met.

Mr. Billings stated that one problem is walls that will need heightening because of HOV lanes. You may put up a wall that meets the standard, but when you put in HOV lanes, those walls need to be

heightened. This raises costs. Mr. Billings commented that he thought the \$200 million figure might be low. Mr. Anderson commented that the cost of sound walls is approximately \$2 million per mile.

Mr. Arnett stated that it is an ongoing problem and would probably be an ongoing resolution of that problem with this objective left in. Vice Chair Scruggs stated that the problem with the first plan was the date of record, which is the date when the environmental assessment would be done. Vice Chair Scruggs mentioned that Arrowhead Ranch, a 4,000 acre community, was granted vested zoning in 1983. However, because homes were not the first to be built, there were no existing neighborhoods, yet all knew it was an existing neighborhood. Vice Chair Scruggs stated that the question is how you define existing neighborhood? If a community has been granted vested zoning, that is an existing neighborhood. Where we need focus is how we define an existing neighborhood. Vice Chair Scruggs stated that she agreed that walls cannot be built everywhere, but we can improve on the 1985 plan.

Mr. Smith commented on viewing this somewhat as an improvement district, where those coming in pay. The issue is what they pay for. Mr. Smith commented on ensuring installation of footings that will accommodate larger walls. On the policy side, show the public that we want to build neighborhood friendly freeways.

Vice Chair Scruggs commented on placing this in the “to be refined” category. The Committee needs legal advice and thought on how to go back to the developer.

Mayor Dunn stated that he supported the objective as viable, because noise mitigation does not necessarily mean walls, and could mean rubberized asphalt. He added that technology beside having tall walls could be developed in the future.

Councilmember Bilsten stated that she would like the consultants to help with this. If a consultant says it is a positive, and the voters feel there is funding, that will help them if they meet the criteria for noise impacts.

Mayor McDermott suggested consulting the cities’ general plans to see where future mitigation efforts will be needed. He stated that he agreed on building where you know you will need walls. Vice Chair Scruggs stated that this goes back to the definition of an existing neighborhood.

Mr. Anderson read Objective 3B): Encourage programs, projects and land-use planning that continue to reduce vehicle emissions, reduce the number of trips per household, and reduce trip lengths.

Mr. Berry expressed concern that the objectives could become absolute standards. He stated that we are looking forward to more trips and vehicle miles of travel, not less. As the population grows, we will have more travel. He commented that this strategy says to encourage those programs that continue to reduce vehicle emissions, reduce the number of trips per household, and reduce trip lengths. What we are saying to voters is we are going to give you a nice system, but you cannot use it. Mr. Berry suggested using the word “optimize” instead of “reduce.” He stated that emissions continue to be reduced, and we are close to a zero emissions vehicle, but we will have more vehicles due to growth. This is not the point to say stop building.

Mr. Anderson commented that the objective is to reduce the number of trips per household and trip lengths. He noted that the strategy could be reworded.

Mr. Berry stated that he wanted to ensure that it does not become criteria. He suggested “encourage land use planning that will continue to reduce,” take out “programs and projects.” Mr. Berry stated that his concern was that this will become a standard for selecting projects, or a go, no-go decision.

Mayor Thomas commented that it was unfortunate that Mr. Kane was not in attendance. He expressed concern with DMB developments increasing traffic on western I-10. Mayor Thomas stated that DMB indicates a 1.1 net jobs in per household, which means that more people will be coming in than leaving the area. However, 50 percent of trips are local, such as trips to the store, not long trips to jobs. The amount of burden on highways is for those kinds of trips. Mayor Thomas stated that he hoped to have a process in place by impact fees to give credit to a developer when they add those jobs so they are not burdening the area.

Councilmember Dennis commented on adding economic and employment centers to land use planning that will help reduce emissions.

Vice Chair Scruggs commented that she interpreted the objective differently. She stated that she thought it meant that alternative mode projects, such as bike and pedestrian, could qualify.

Mr. Berry expressed concern that this would become a standard by which projects are evaluated and that if a project cannot reduce vehicle miles of travel, it cannot be built.

Supervisor Stapley stated that is why they are called objectives, not standards, which should address Mr. Berry’s concerns.

Mr. Anderson indicated that the objective would be re-worded to capture the concerns.

Mr. Berry commented that he is a highway user. Voters will be looking for highway mobility.

Vice Chair Scruggs noted that not all projects will meet all objectives, to allow for a greater mix of projects.

Mayor Thomas commented on Objective 2C, that if we do a better job of land use planning, the cars will not interfere with freight mobility.

Mr. Berry stated that people’s vision is having mobility. He indicated that he understood the concept, but in the wrong hands it could be used against us. Mr. Berry asked if the current system had objectives? Vice Chair Scruggs replied that objectives were not identified.

Mr. Berry urged proceeding cautiously on this. He expressed concern that they could be codified. Somebody who is an obstructionist could stop progress.

Vice Mayor Kanter stated that he appreciated Mayor Thomas’s and Councilmember Dennis’s comments. Regarding bullet one of Objective 3B on page seven, he suggested looking at the legislative aspect.

Mayor McDermott stated that he shared Mr. Berry’s concerns. These objectives will be looked at in every project. Mayor McDermott stated that if Objective 3B were applied to projects, those projects could be ranked low.

Mr. Shultz commented on Objective 3B. The concept of a sustainable environment, which is implied but not stated, is a legitimate requirement, and from an economic standpoint, makes sense because there are some projects that will be candidates. Mr. Shultz stated that this will actually reduce the cost of the overall system. A sustainable environment is a fact of land use planning, business, and government regulations. He stated that he was not as concerned about the scoring a project being limited because of one objective.

Mayor Thomas stated his concurrence.

Vice Chair Scruggs stated her concurrence. She asked members if there was a need for modification.

Mayor Dunn stated that he agreed that the objectives are not stand alone, but as a group. They speak not only to necessary transportation modes, but effective modes as well. We want to encourage cities to do good planning so we can get the most for our dollars. Mayor Dunn stated his support.

Vice Chair Scruggs asked if the majority concurred with the objectives as written. Mr. Berry stated that for the record, he voted no.

Mr. Anderson read Objective 3C: Make transportation decisions that are compatible with air quality conformity and water quality standards, the sustainable preservation of key regional ecosystems, and desired lifestyles.

Mr. Berry suggested adding cost effectiveness to add balance to bullet four.

Mr. Shultz stated his agreement.

Mayor Thomas commented that cost effectiveness can be an elusive goal. Cleaner air costs a lot of money. Mayor Thomas spoke of health issues that result from diesel fuel usage. PM-10 is a nonattainment concern, and diesel is a component of that. Mayor Thomas stated that cost effectiveness is valuable, but needs some weight toward the human element. Health cannot be measured. Mayor Thomas stated that he did not want to get things hung up on cost effectiveness.

Vice Chair Scruggs pointed out that if cost effectiveness is added, the objective would state the same thought twice.

Mr. Anderson reviewed the objectives that must be realized for the Accountability and Planning goal. Objective 4A): Make transportation investment decisions that use public resources effectively and efficiently, using performance-based planning. No comments on this objective were noted. Objective 4B): Establish a dedicated revenue source that provides consistent funding for regional transportation and mobility needs.

Mr. Berry asked if 4B would still be needed after the sales tax is approved, or is the objective addressing the need for a tax beyond the extension? Vice Chair Scruggs suggested that the way it is written would not address what will happen in 2004. The extension is a temporary revenue, not a dedicated revenue.

Mayor Thomas commented that Objective 1A is in context with continued maintenance of roads.

Vice Mayor Schweiker stated his agreement with Mayor Thomas. We are not deluding ourselves that we will get all that we need. There will be ongoing costs. Vice Mayor Schweiker stated that Objective 4B is letting people know that.

Mr. Anderson commented that every study indicates that we need to look at other sources for funding because of the decrease in HURF funding. Objective 4B is designed for that.

Mr. Arnett asked for clarification that this included identification of funding mechanisms for accelerations or private funds. Mr. Anderson replied that it did.

Vice Chair Scruggs commented on ideas mentioned earlier about developers paying for enhancements. Alternate language could be a variety of mechanisms, rather than “a” dedicated revenue source. Mr. Anderson stated language: “Develop revenue sources and mechanisms that provide consistent funding for regional transportation mobility needs.”

Vice Mayor Kanter commented on Objective 4A. Goals and Objectives ties into page seven, geographic equity. He suggested working those two concepts into Accountability and Planning so there will be a correlation. Mr. Anderson replied that Vice Mayor Kanter’s suggestion was incorporated into two new objectives that would be reviewed a little later in the presentation.

Mr. Berry asked how we reconcile this statement when we go to the vote with a specific map or system that is funded by a projected revenue and say we will need more money? Mr. Anderson acknowledged that there are more projects than we can fund. He mentioned that illustrative projects, which may go beyond the 20 year financially constrained plan, are allowed by FHWA, and those would be addressed also. Mr. Berry commented that this is saying to the voters that this is the plan you are buying with the half cent sales tax, but we need more. Mr. Anderson stated that this is saying that the HURF fund is deteriorating and we need other sources of revenue. He explained that Congress is now discussing raising the federal gas tax or indexing with an inflation factor. Mr. Anderson stated the TPC could support this as part of the Reauthorization. He added that this is a fairly broad objective, not just to voters of this region for more money.

Supervisor Stapley commented that he understood Mr. Berry’s concerns. He suggested adding the following sentence: “In addition, all other revenue sources that may become available, and be diligent in looking for opportunities that may come our way.” Supervisor Stapley stated that there are other revenue streams out there, but our focus is on the half cent sales tax.

Mr. Smith commented that the proposed legislation requires that we must look at all revenue sources in the plan, but also says the projects in the plan are from the half cent sales tax. Mr. Smith stated that we can make reasonable assumptions of revenue in the plan. The plan will be larger than the half cent sales tax, which is a component of the plan.

Vice Chair Scruggs commented that informed voters assume that we are building, maintaining and operating a system. Thus, they should expect a subsequent request.

Mayor Thomas commented that the legislation codifies the TPC, but not MAG, in the state statute. This highlights the difficulty in how this is progressing. He stated that we need to be careful on this.

Mr. Berry commented that if bullet two applies after the election, it makes selling the proposition more difficult. Mr. Anderson stated that if some of the sales tax would be used for operations and maintenance, when the sales tax expires, operations and maintenance will go away; or, you find another source for funding. Mr. Anderson stated that this is an important message to convey. He added that the half cent sales tax would probably be reauthorized before the next tax expires also.

Mr. Anderson reviewed the two new objectives added to line up with the performance measures: Provide geographic equity in the distribution of investments. Recognize previous commitments to voters. Mr. Anderson stated that the new objectives would stand alone between 4B and 4C.

Mr. Berry asked if geographic equity was the same as the return to sender concept. Mr. Anderson explained that the objectives were included to provide a balance by geographic area, whereas, with the return to sender concept, part of the money would be returned to communities on a prorata basis. Mr. Anderson stated that this is saying there needs to be a geographic balance—not all projects in one area, and none in another, and based on population and need.

Mr. Shultz stated this is a discussion of goals and objectives criteria. He noted that Mr. Anderson has been asked questions on geographic equity. It might not be soup yet. If there is going to be a hard look on a performance basis in the whole area, we should say that. If you say equity, it implies a formula. Mr. Shultz stated that this is somewhat of a conflict with performance based. He urged going back to the drawing board on this and say what we mean. If there will be a rational distribution of investments across the region based on performance based planning using performance criteria established by the TPC so needs of geographic areas are met, we need to say that. Geographic equity could cause problems. Mr. Smith read substitute language: “Rational distribution of investments across the region.”

Vice Chair Scruggs commented that these came from section seven, which were not carried forward into section six.

Mayor Thomas commented that this came out of pain in the past. He stated that The Arizona Republic published road information on US 60 and I-10. Mayor Thomas commented on the disparity with rubberized asphalt being installed in the east valley while the west valley is still waiting for a reliever road, such as the South Mountain Freeway or Grand Avenue to take the place of the Paradise. Mayor Thomas stated that something is needed to address that.

Mayor McDermott stated that he did not like geographic equity any more than he liked return to sender. This issue came up at the workshop and was not widely accepted then, either. He stated that he liked the language “A rational distribution of investments based on performance based planning.” Mayor McDermott state that is the TPC’s job.

Mayor Hawker commented that the map shows that the unfinished freeways are in the east valley. Mayor Thomas stated that he was pointing out that they will be surfaced with rubberized asphalt as they are completed, but there are no plans to complete the 202. Mayor Hawker stated that looking at the political reality, Scottsdale and Tempe do not require freeways. If freeways rank as a priority, there will not be equity, and the vote will not be passed because some will not be able to show voters what they will get. Mayor Hawker acknowledged that the future growth will be in the west valley, but it is not currently there. If nothing is built in the east valley, the vote will not pass.

Mayor Dunn stated that equity means something. It means that ultimately we need to present a regional plan. Mayor Dunn stated that we need balancing, because the objective is to get the tax passed. Some parts of the region will send more voters, but the bottom line is there needs to be a balance. Something that will be fair and will work. Mayor Dunn stated that we do not want to disenfranchise an entire part of the region. He added that this is a fair objective.

Mr. Shultz stated that he was hearing compelling arguments. He indicated that he would back off of this if it helps pass the ballot.

Mr. Berry suggested taking out “geographic.”

Vice Chair Scruggs suggested language: “Develop a regionally balanced plan that provides geographic equity in the distribution of investments.”

Councilmember Dennis stated that every geographic area needs something different.

Agreement was noted on the language, “Develop a regionally balanced plan that provides geographic equity in the distribution of investments.”

Vice Chair Scruggs stated that the next new objective to be discussed was “Recognize previous commitments to voters.”

Mayor Hawker asked what the projects were and the dollar figures. Mr. Anderson replied that his understanding was the projects previously committed to voters included the completion of the 303 and 202/South Mountain. Mayor Hawker asked what credit Phoenix would get for the Paradise? He commented that they might deserve something if we go back to the old plan. Mayor Hawker asked what was designated for Grand Avenue in the original plan? Mr. Anderson replied that it was planned as full freeway, but has since been scaled down. Mayor Hawker asked if we were going to hold to that. He added that we are not building Grand Avenue as a freeway, therefore, we are not holding to previous commitments. Mr. Anderson stated that in context, this revolves around completion of the 303 and the 202. Mayor Hawker requested clarification as to what was meant by previous commitments.

Mayor Dunn stated that what the voters approved in 1985 is important, however, things have evolved. We are not going to take out the old blueprint and hold to it, but we need to go with what was envisioned. It is logical to reconsider those commitments and see what is viable, but not go back for the sake of going back. Mayor Dunn stated that the public will be looking at a new plan that will include some things we did not finish building.

Vice Chair Scruggs commented that we need to make a strong commitment, especially with the 303, which was identified in 1985 but was not built. People that need to use it are there already. She stated that for the project to go back to the end of the line would not achieve support. Vice Chair Scruggs stated that some projects are no longer feasible. That is what the Committee will be deciding when the subarea plans are discussed. Vice Chair Scruggs stated that an objective is needed to address those projects that were not built.

Mr. Arnett urged caution putting projects in ahead of performance based planning. He stated that it will take approximately \$500 million to build the South Mountain and \$1 billion to build the 303. Mr. Arnett stated that one reason to bring in other funds, such as HURF, federal, CMAQ, etc., is to take care

of some of those projects. He stated that the 303 and the South Mountain may need to be built, but may not need to be built with sales tax money. However, they need to be put in the plan to give assurance to voters. Mr. Arnett expressed concern with putting ourselves in a box by strapping the 303 and 202 onto the plan.

Mayor Berman asked why these projects had not been completed before? Mr. Smith explained that the 303 was on the 1985 plan for right of way protection. After the measure passed, the ADOT Director and Burton Barr committed to building the 303. In 1994, the election to build the 303 as a freeway lost. At that time, the governor developed a new map, taking off the 303, Grand Avenue, the Paradise, the Hohokam, and named the South Mountain as a privatized facility. In 1996, MAG returned the Red Mountain and Santan as funded. The Paradise and the 303 were left off, and the South Mountain was put back in, but no longer privatized. In 1996, traffic interchanges (TI) at Camelback and Thomas were put back in for Grand Avenue. In 1999, more TIs were added on Grand, and the freeway completion was accelerated from 2007 to 2014. Mr. Smith explained that in January 1995, the Regional Council voted to take the 303 off the map. Since then, it has been put back in, and MAG has been working with ADOT and the County to build it.

Vice Chair Scruggs noted that the Regional Council did not just decide to take the projects off. Mr. Smith explained how it came to be that the projects were taken off. When the election failed in 1994, the Governor's office said there was not enough money, so he identified which projects would be accelerated and which projects would be taken off. The Regional Council agreed to this. In 1996, Eric Anderson discovered that the financial analysis was under forecasted, so some elements were probably cut that did not need to be cut.

Councilmember Dennis commented that we made commitments in the past. This is just saying we need to recognize that those commitments were in the plan and then see how they weight out.

Ms. Scherer commented that this is an example of a reason voters lose faith in government. If you put the objective in there and don't say what it means, it means what you want it to mean at the time. If you do not honor all previous commitments, then say specifically which ones. The Phoenix and Glendale transit elections were successful because they said specifically what they were going to do. Today's voters are more sophisticated. She stated her objection to this objective unless it is specific on previous commitments.

Vice Chair Scruggs stated that the objective recognizes the uncompleted segments of the existing regional transportation plan.

Ms. Scherer stated that the objective needs to be specific about what we are going to build.

Mayor McDermott suggested language: "Recognize previously authorized corridors that are still part of the MAG planned system, which are the 303 and the South Mountain freeway."

Mr. Anderson noted that the objective is not necessarily saying that there is a commitment to funding these projects.

Ms. Scherer stated that if we are not going to be specific, the objective should be eliminated.

Mr. Shultz commented on going through a process to determine a general direction, followed by the evaluation process. If we are patient and agree on language without getting specific, then we will identify the project commitments made in the past along with new projects. Mr. Shultz stated that it is premature to jump to that before the evaluation process.

Vice Chair Scruggs stated that the 303 was identified and voted on in 1985 that it be built. Development has occurred based on that. That is a commitment and a need that does not need to be re-justified. The public and developers have already relied on that. Vice Chair Scruggs stated that people invested and then were told to wait for another pot of money. She expressed that it is extremely important to be an objective.

Mayor Thomas stated that part of it is the recognition of where we have built. If the South Mountain is completed, that will help the whole Valley, especially in regard to resolving T's on freeways. Relieve the flow on the Santan by getting back to the original plan. Mayor Thomas stated that performance based gets past the east/west issue. He mentioned that some cities are providing rail in place of the Paradise that will offer some congestion relief.

Mr. Smith read Mayor McDermott's language: "Recognize previously authorized corridors currently in the adopted MAG Long Range Plan, i.e., the 303 and the South Mountain corridor." Mr. Smith noted that performance based planning will still be done, this is just saying those two projects are out there in the plan.

Mayor Dunn commented on the meaning of "recognized." We should give serious consideration from the onset. Mayor Dunn stated that as a single objective, we need to look at what was approved by the voters, but realize that there may be other priorities. We have unfinished business we need to look at.

Mayor Hawker commented that the reality is the 303 and the South Mountain will be built in the next plan. He stated that he could not think of anything getting in the way of that. Mayor Hawker indicated that he felt comfortable with listing them and having them on the map. We are obligated to build those projects. He stated that the projects should be listed. Mr. Smith commented that the environmental work on those projects has progressed.

Mayor Berman stated that he agreed with Mayor Hawker to list them and identify them as priorities.

Supervisor Stapley stated he agreed with Mayor Hawker, and not just because of the locations. They are previously committed to on the ballot. The County has spent a lot of money and played a role in preserving this corridor. It is important to the connectivity of the system.

Mayor Drake stated his agreement with Mayor Hawker. This is a unique opportunity to give leaders the opportunity to tell people we will keep our word.

Agreement was noted on the language: "Recognize previously authorized corridors currently in the adopted MAG Long Range Plan, i.e., 303 and the South Mountain corridor."

Mr. Anderson reviewed Objective 4C): Achieve broad public support for needed investments in transportation infrastructure and resources for continuing operations of transportation and mobility services. Agreement to Objective 4C was noted.

Vice Chair Scruggs recognized public comment from Mr. Crowley, who commented on completion of the I-10 express terminal. Why doesn't Phoenix abandon it to the State? Mr. Crowley mentioned that this is the only project not being completed. He commented on Jim Dickey's statement from the January 15 minutes, that \$5 million will get everything done for transit. What is the amount for bus only? Mr. Crowley commented on Objective 2A, and asked if heavy rail was being considered. He noted there is a difference between heavy rail and light rail. For Objective 2D, Mr. Crowley said to look at the division of money. Mr. Anderson stated that \$4.5 billion is needed for the project list. Mr. Crowley stated that in 1985, MAG's plan was to get freeway money. That is not a plan. Mr. Crowley stated that when efficient resources are mentioned, solar is the least expensive. Mr. Crowley asked where are connector and circulator buses for each city? Vice Chair Scruggs thanked Mr. Crowley for his comments.

Mayor Dunn moved to approve the draft goals and objectives, with the revisions incorporated, for use in the preparation of the Regional Transportation Plan, with the understanding that the goals and objectives may continue to be refined. Mayor Manross seconded, and the motion carried, with Mr. Berry voting no.

Mayor Thomas left the meeting.

7. Regional Transportation Plan Evaluation Methodology and Performance Measures

Mr. Anderson gave a presentation on the Evaluation Methodology and Performance Measures to be used in the drafting of the Regional Transportation Plan. He noted that they were discussed at the workshop and comments have been incorporated. Mr. Anderson stated that the Evaluation and Phasing Methodology includes the refinement and adoption of Goals and Objectives; the planning studies and needs assessment to evaluate the current and 2025 baseline systems; the alternatives definition, evaluation, and refinement process; and the phasing and funding process.

Mr. Shultz stated that his comments were in regard to keeping to the HB 2292 time schedule. He asked if there would be time for review of the alternatives by agencies. Mr. Anderson replied that was correct. Mr. Shultz stated that the final time for comment is in the detail so we have the benefit of input before getting to the final plan. Mr. Anderson stated that the kind of comments he would expect is that these components work well, but you forgot this. That is the purpose of the review process, to make sure the core passes. Mr. Shultz asked if this would take place in a July time frame. Mr. Anderson replied that was correct. The discussion of alternatives is key to keeping the plan on schedule. He noted that the review process of HB 2292 re-emphasizes the need to stay on schedule.

Mr. Shultz asked about the forecast estimates for the half cent—what are the checks and balances and who will do the estimates? Mr. Anderson explained that it would be a three pronged attack on revenue projects. 1) ADOT looks at the short term funding. 2) Internally conducted historical analysis. 3) HDR also doing reviewing what we have done.

Mayor Thomas rejoined the meeting via telephone conference call. He acknowledged that he could hear the meeting.

Mr. Billings asked the makeup of capital projects, and operations and maintenance over the next 20 years. Mr. Anderson replied that the current tax is used for capital projects only and a small portion for transit, and none for maintenance and operations. He added that we anticipate that operations and

maintenance components will be higher than the previous plan, which was zero. He replied that he did not have a definitive answer at this time.

Councilmember Dennis asked what would be the level of maintenance for service over the next 20 years. Mr. Anderson replied that MAG had been working with ADOT on this. ADOT funds maintenance out of their current budget and would like the system to fund it. Mr. Anderson stated that the policy question is the difference in what ADOT is providing and increasing it to what we consider a more acceptable level.

Vice Chair Scruggs stated that in the legislative discussion, the questions came up how we would address a shortfall or overabundance of revenue and how those decisions would be made. Vice Chair Scruggs stated that the Committee needs to know when we will address that because of the short time frame.

Mr. Smith stated that because of HB 2292, we lost a month, and the schedule needed to be re-worked. The Committee will now be looking at that in June. Mr. Smith stated that policy issues could be on the March agenda. Vice Chair Scruggs stated that the TPC needs to reaffirm issues such as ranked projects keeping their place in line, whether there is more or less revenue.

Mayor Hawker commented on prioritizing the projects and keeping the priority order until funding runs out. Mayor Hawker stated that once the priorities are set, we need to stay with that. Those with less priority would drop off if we run out of money. Vice Chair Scruggs stated that it will not be as easy this time. She indicated that the last time, the half cent sales tax was not used for operations, only capital costs.

Mayor Hawker stated that a look at who pays for enhancements is needed. The same mechanism could be used as if accelerating a project. This has been very effective.

Vice Chair Scruggs stated that policy discussion on maintenance would take place at the March meeting, in addition to the question raised by Councilmember Dennis.

5. Discussion of Election Timing

Tom Milton, Cantelme, Kaasa and Associates, gave a presentation on the merits of a Spring or Fall 2004 election date. He stated that May is typically for special elections and November is for presidential elections. Mr. Milton stated that a 25 percent voter turnout, or approximately 300,000 people, is expected at a May election. In a November election, a 65 percent voter turnout, or 800,000 people, is expected.

Mr. Milton provided an overview of the pros and cons for a May election date. Advantages include: This would be the only issue on the ballot, and would not have to compete for voters' attention; ability to dominate with special messages; a pro-transit coalition could dominate the election; lower cost because we are only targeting 300,000 voters and would not need as many election materials. Mr. Milton stated that the disadvantages include: This is the only issue, so it will be easier for opponents to target; smaller voter turnout could make it easier to dominate by certain groups; the press would carry equal opposition messages; it is costly to run an early voting program.

Mr. Milton stated that advantages to a November election include: The voters are more likely a broad based moderate electorate that cannot be dominated by one or two groups; more difficult for underfunded anti-tax groups to dominate with their messages; political parties would drive the process at no cost to the campaign. Disadvantages include: There would be numerous tax related initiatives on the ballot; competing with numerous initiatives for voter attention; higher costs, because a much larger group is being targeted.

Mr. Milton stated that he believed the campaign would drive early voting. He advised an early voting program with mail or phones. He stated that May would be better because the goal is to have a well informed electorate. In May, voters could be more dedicated to this issue, there will be more free media, and more debate.

Mayor Hawker stated that some local elections will take place in March and May 2004. Mr. Milton stated that some communities might have more elections on their elections, but throughout the region, this item will still get more coverage in a spring election than with a November election.

Mr. Smith stated that another May advantage is gaining six months time for planning large projects. Time is needed to tee up projects. Mr. Smith noted that the ADOT Life Cycle Program does not include new half cent money, only existing.

Vice Chair Scruggs commented that there could be a gap in projects being built if we wait too long.

Vice Mayor Kanter stated that he agreed that May is best. He stated that originally, he was concerned about the cost to those cities not holding a spring election. Since then, he has been informed that cities will be reimbursed by the County. May is the best option.

Mayor Dunn commented that May seemed to be the more positive option. If we do the job right, he anticipated that elected officials will be out supporting this measure. Mayor Dunn expressed concern for a fall election because it could possibly be thrown into tax and budget issues.

Mr. Shultz stated his agreement with a May election, and commented that the third Tuesday would be May 18. Working backward, January 19, 2004 is 120 days prior to calling the election. Mr. Shultz commented that the legislation seems to be unfinished because of the language taken out by then-Representative Overton. He stated that the legislation language needed to work for any election, regardless of when an election is held.

Councilmember Bilsten stated her agreement with a May election. She mentioned that Mr. Milton and his firm have been very successful in helping educate citizens. Elections have failed in the past because they were perceived as not honest. Councilmember Bilsten urged members to talk to Mr. Milton because he has knowledge about winning elections.

Mr. Milton stated that if a May election is pursued with a lower voter turnout, there may be accusations of trying to steal the election. He stated that the consultants believe the election needs to be big and loud and show there is nothing being hidden. Mr. Milton stated that he would like to see a full blown campaign. People will see the value and support it.

Councilmember Bilsten stated that after the Transit 2000 election, people did not see immediate results. A person would suppose the popularity would drop off, but people did not oppose the tax because they had been educated. This is an opportunity for us to win and continue to advance regional ideas.

Mayor Thomas commented on pursuing a mail in vote to counter negativism of having our own election.

Mayor Manross stated that she supported a May election. She expressed concern for being on a November ballot along with taxation issues.

Vice Chair Scruggs recognized public comment from Mr. Crowley, who stated that he agreed with a May election, but what is the plan? Look at the Bus Book—Mayor Rimsza says it is important to do the core—but there is no bus service on West Roosevelt. Mr. Crowley commented on when the I-10 express terminal would be completed and be multi-modal. He stated that he could not see where Wickenburg, Goodyear, El Mirage, Litchfield Park, or Surprise got anything from the current half cent sales tax. Vice Chair Scruggs requested that Mr. Crowley restrict his comments to the agenda item. Mr. Crowley stated that he wanted separate ballots. We need to be looking at the maintenance part. He stated that MAG's plan is not as good as the County's plan. Mr. Crowley stated that he supported a May election if it is the County's plan, and if it is divided, with rail funded after the bus. Vice Chair Scruggs thanked Mr. Crowley for his comments.

Councilmember Bilsten moved to select May 2004 as the election date for the sales tax extension ballot issue. Mr. Shultz seconded, and the motion carried unanimously.

8. Legislative Update

Mr. Smith stated that at each place was a summary on HB 2292. He added that the Regional Council passed seven points to be used in working on HB 2292. The points were mostly reflective of federal law. Mr. Smith stated that the seven points had been addressed, with the exception of item three. He noted that safeguards, such as material cost change and enhancement fund policies are not yet included in the bill. The bill provides that Maricopa County votes on its recommendations regarding the alternatives stage and the draft plan stage to the Transportation Policy Committee through a formal consultation process. Mr. Smith stated that the bill is a good compromise. He noted that two stages were defined where the County, RPTA, and ADOT will be required to take a formal vote on their recommendations at the alternatives and draft stages. Mr. Smith noted that is the major compromise of the bill. He added that the bill was approved unanimously in the House Transportation Committee.

Mr. Shultz commented on perfecting the amendments to authorize the election. The election has to be called virtually the same week as the legislature comes back into session in 2004. Mr. Shultz stated that the language that former Representative Overton took out needs to be put back in.

Supervisor Stapley stated that he spoke to Representative Gary Pierce, who expressed concern about cutting the certification by the legislature out of the process. He asked Mr. Shultz if that is what he meant by perfecting the amendments. Mr. Shultz assured Supervisor Stapley that was not his intention. He stated that Representative Pierce said it is imperative to allow the legislature to have a voice, and he thought he had given him a plan similar to a federal BRAC process.

Vice Chair Scruggs thanked all for the hard work and extra hours on this issue.

9. Overview of MAG Transportation Studies

Mr. Anderson provided an overview on the ten studies and the highlights of each study that MAG has been conducting in the development of the Regional Transportation Plan. These studies include: the MAG High Capacity Transit Study, the Valley Metro/RPTA Regional Transit Study, the MAG-ADOT HOV Value Lane Study, the MAG Bottleneck Study, the Arterial Travel Speed Study, the MAG Northwest Area Transportation Study, the MAG Southwest Area Transportation Study, the MAG-CAAG Southeast Maricopa/Northern Pinal Area Transportation Study, the MAG Grand Avenue Northwest Study, the MAG East-West Mobility Study. Mr. Anderson mentioned the previously completed studies that include: the MAG Park and Ride Study, the MAG ITS Strategic Plan, the MAG ROSS Plan, and the Canamex Study. He stated that workshops are being scheduled to provide further detail on the studies.

Supervisor Stapley recommended that a work/study session that includes the County Supervisors and ADOT Board would be a good idea.

Mr. Shultz stated that the presentation would be excellent to show to the business community.

Vice Chair Scruggs suggested that a review to as many groups as possible in one session would make a more efficient use of staff time.

Mr. Anderson mentioned that most of the results from the studies are posted on the MAG Website. Vice Chair Scruggs suggested links from member agency Websites to the study results.

Vice Mayor Kanter commented that Chris Voigt, MAG Senior Engineer, had done an excellent job in his project management of the Southwest Area Study.

Mayor Dunn stated that the Town Hall on March 28 will be an excellent opportunity to receive feedback on the studies.

10. Future Agenda Items

Vice Chair Scruggs reviewed items that will be considered at the March 19, 2003 TPC meeting: Legislative Update, Evaluation Methodology and Performance Measures, and Alternatives Packages.

There being no further business, the meeting adjourned at 7:25 p.m.

Chairman

Secretary